

June 2, 2014

By ECF and By Hand

Honorable Judge John F. Keenan
 United States District Court
 U.S. Courthouse
 500 Pearl Street, Room 1930
 New York, New York 10007-1312

USDS SDNY
 DOCUMENT
 ELECTRONICALLY FILED
 DOC #: _____
 DATE FILED: 6/3/14

WILMERHALE

Noah Levine

+1 212 230 8875 (I)

+1 212 230 8888 (F)

noah.levine@wilmerhale.com

Re: *Adkins et al. v. Morgan Stanley et al.*, No. 1:12-cv-7667 (HB)

Dear Judge Keenan:

The parties jointly submit this letter seeking time-sensitive relief in this civil case. We present this request to you in your role as the Part I judge because the case has no presiding district court judge, and awaits reassignment, after Judge Baer's passing last week.

The parties jointly request a stay of the impending class certification briefing and expert disclosure deadlines until the case is reassigned and the parties are able to hold a case management conference with the new judge assigned to the matter. Under the current schedule, Plaintiffs' class certification motion, supporting memorandum, and expert disclosures are due this week, on June 8, 2014, and Defendants' opposition to that motion and expert disclosures are due July 14, 2014. The parties agree that both sides need additional time to adequately prepare their class certification submissions and expert disclosures. Both sides also seek to ensure that the briefing schedule is consistent with the overall case management and pretrial schedule views of the judge assigned to the case. For those reasons, the parties have agreed to propose a schedule implementing reasonable expansions of time for both sides. The parties intend to present a joint proposal to the new judge, after the Court has reassigned this case.

We thank you for your consideration of this matter.

Respectfully submitted,

Noah Z.

Noah Levine
 Wilmer Cutler Pickering Hale and Dorr LLP
 7 World Trade Center
 250 Greenwich Street
 New York, NY 10007
 Attorneys for Defendants Morgan Stanley et al.

*Class certification briefing
 and expert disclosure deadlines are
 extended to June 30 without prejudice
 to application to the transferee
 judge.*

Laurence M. Schwartztol
 American Civil Liberties Union
 125 Broad Street
 18th Floor
 New York, NY 10004
 Attorneys for Plaintiffs *Adkins et al.*

RECEIVED

LORDETTA A. PELSKA
 UNITED STATES DISTRICT JUDGE

cc: Plaintiffs' counsel (email)

June 2, 2014